

**TESTIMONY OF OLIVIA GOLDEN**  
**DIRECTOR, CHILD AND FAMILY SERVICES AGENCY BEFORE THE**  
**COMMITTEES ON JUDICIARY AND HUMAN SERVICES FOR THE**  
**“IMPROVED CHILD ABUSE INVESTIGATIONS AMENDMENT ACT OF 2001”**

**February 4, 2002**

Short version

Good afternoon Councilmember Patterson, Councilmember Allen, and members of the Committees on Judiciary and Human Services. I am Olivia Golden, Director of the District of Columbia’s Child and Family Services Agency (CFSA). I am pleased to be here today on behalf of Mayor Williams to testify on the Administration’s views on the *Improved Child Abuse Investigations Amendment Act of 2001*. We are very appreciative of the focus of this legislation, as well as the Infant Protection Act sponsored by Councilmember Allen, on ensuring children’s safety, permanence, and wellbeing. In the interests of time, I will summarize my written testimony.

CFSA has existed as an agency of the District of Columbia for seven months, since the ending of the Federal Court Receivership on June 15, 2001. In that time, with the commitment and support of the Mayor and the City Council, we have dismantled many of the institutional and legal barriers that for so long stood in the way of effective services to abused and neglected children. Among other critical steps, as envisioned in the Mayor’s Child Welfare Emergency Plan submitted to Congress in October 2000, the District has ended the bifurcated

system that separated abuse and neglect – a fragmented system cited by many observers, including this Committee, as a key barrier to effective service delivery to families. The new CFSA, shaped by the April 2001 enabling legislation, is for the first time a strong child welfare agency with the authority and the responsibility to address both child abuse and neglect and to license and monitor foster homes and facilities.

As context for my testimony, I will begin by giving you a general sense of the reform efforts underway at CFSA, and then move on to highlight key areas of the legislation.

### **Strategies for Reform at CFSA**

Our reform efforts are guided by a strategic plan with seven priority goals, of which I want to highlight two: recruiting and retaining qualified and highly trained social workers and investigating abuse and neglect reports in a timely and high quality manner that protects children's safety.

Recruitment and Retention. From October through today, we have hired more than 40 new social workers and supervisors. We are exploring a wide range of recruitment and retention strategies, including a potential partnership with the U.S. Public Health Services Commissioned Corps.

Timely and High Quality Investigations. CFSA received 8,928 calls to our Hotline in FY 2001, of which 4,582 resulted in reports of alleged maltreatment of children. In the first quarter of 2002, consistent with last year's statistics, fifty-seven percent of the referrals accepted for investigation involved allegations of

neglect, thirty-seven percent alleged physical maltreatment, and six-percent alleged sexual maltreatment.

The Mayor's Child Welfare Emergency Reform Plan highlighted two issues that affect the investigation process. First, as noted above, was the importance of eliminating the bifurcated system that separated abuse and neglect investigations and services.

I am pleased to report that CFSA has now assumed responsibility for investigating reports of abuse, a responsibility which formerly rested exclusively with the Metropolitan Police Department. The police continue to have a critical partnership role in those cases where there is a possibility of criminal prosecution, which is distinct from CFSA's role in determining whether the allegation of abuse/ neglect is substantiated, protecting children's safety, and beginning the process of planning for permanence.

We are moving rapidly to ensure that we fully realize the intended benefits to children of this unified system:

- Staffs of the two agencies now have regular meetings at both the line and senior levels..
- CFSA and MPD developed a core curriculum on abuse investigations. Abuse training is mandatory, and all Intake staff has been trained to date.
- We have increased staff in our Investigations Unit by 6, on the way to an increase of 20 case-carrying social workers, and we have

developed 1 training unit within the intake portion of the agency to provide intensive supervision for entering workers.

- Under the direct leadership of CFSA's Principal Deputy Director, and with assistance from national experts, we are finalizing new protocols for the conduct of investigations, and we have established a specialized team to investigate sexual abuse and the most serious physical abuse.

A second issue highlighted in the Mayor's Child Welfare Emergency Reform Plan was the need for a setting where multi-agency activities could be coordinated for the most serious among these intake cases, those where prosecution is anticipated. The March 7, 2001 Multi-agency Protocol responds to this need and ensures that child victims of sex abuse will receive forensic interviews in a child-friendly setting in a manner to avoid repetitive questioning. CFSA is actively involved in implementation of this protocol, and a CFSA intake social worker is co-located at the Children's Advocacy Center (CAC).

We are excited about the plans that Deputy Mayors Graham and Kellems describe in their letter to expand the CAC to cover cases involving serious physical abuse. The Gale School will be transformed into a Children's Advocacy Center, which will house Safe Shores (a program to treat victims) as well as staff from a wide range of agencies. Mayor Williams has made a major commitment to the CAC, committing \$7.3 million in FY 2003 local capital dollars for the renovation of the Gales School and \$600,000 in local operating expenses for costs of the CAC in FY 2003.

### **Comments on the Proposed Legislation**

I would now like to turn to the specific legislative proposal before the Council. I will summarize briefly the comments presented in my written testimony on three aspects of the bill:

#### **First, Definitions:**

With some modifications, the Administration supports the changes proposed in the legislation to the definition of child abuse and neglect in the District, because we believe these changes will protect children's safety better than current law.

- We strongly support the changes that will protect non-sibling children who are living in the same household with a child who is believed to be abused or neglected.
- We appreciate Councilmember Sandy Allen's leadership and commitment to address issues surrounding drug-addicted babies, and we generally support the proposed drug-addicted babies definition in the present legislation.
- We support the effort to clarify the definition of physical abuse with modifications discussed in my written testimony, and we would like to work with your staff to refine the proposed definition of mental injury

#### **Second, Child Protection Registry:**

The Administration appreciates the focus in the statute on the Registry as a key tool in child protection. My written testimony includes three specific

suggestions to strengthen the ability of the legislation to accomplish its goals; I will take a moment now to explain the first of these.

We support the move from the current two categories of reports to three categories proposed in the legislation. However, the Administration recommends that the definition of an “unjustified report” reflect the definition in current law for an “unsupported report”, not the higher standard proposed in the legislation. The legislation proposes that to be classified as unjustified, a report must be shown “by clear and convincing evidence to have no basis in fact.” This is a high legal standard, which creates a presumption of validity for each report, even inaccurate or false reports. Under the proposed definition, unless CFSA could affirmatively show by clear and convincing evidence that a report had no basis in fact, the report would be classified as inconclusive – the middle category - and that individual’s name would remain on the Registry. We believe that the proposed definition sets too high a standard and those persons who have not abused or neglected children could unfairly be named on the Registry.

Multidisciplinary Child Abuse and Neglect Team.

Finally, let me turn to the Multidisciplinary Child Abuse and Neglect Teams or MDTs. Under the legislation as proposed, every instance of child abuse and neglect must be reviewed and investigated by an MDT. In order to most effectively achieve the benefits of the MDT as realized in other jurisdictions, with a focus on ensuring that investigations are coordinated and reducing trauma to a child victim, we strongly recommend that the MDT be targeted to the most serious cases, where there is sex abuse or serious physical abuse. These cases

are most likely to involve criminal prosecution and therefore expose children to questioning by social workers, prosecutors, police.

In addition, we recommend that the MDT provision not be included in the legislation, because the Administration is already employing the use of MDTs under the March 2001 Interagency Agreement for sex abuse cases, and staff-level planning is currently underway to expand the MOU's provisions to serious physical abuse cases. The Administration proposes to continue implementing and assessing this targeted approach. We will report back to you on the progress of the MDT approach and look forward to working with the Council to continue strengthening this critical effort.

**In conclusion**, I very much appreciate the commitment that the Council has displayed to child welfare reform in the District, and with your support, I believe that we can continue the momentum and create true change in our children's lives. I look forward to working with you to continue to refine the legislation.

Thank you. I am available to answer any questions you may have.